

Minutes

Mineral Extraction Advisory Committee
February 9, 2005
Waukesha County Administration Center, Room 355/359

Those in attendance included the following:

Committee members: Sharon Leair
Mike Schober
Dave Swan
Joe Soltis
Jim Dawson
Tim Kraut
Ed Troxell

County Staff: Jim Rose
Mark Jenks

Guests: Brian Endres
Sean Wolf
Ed Reesman
Ed Bushman

Call to Order

The meeting was called to order at 7:35 AM by Chairperson Sharon Leair.

Approval of MEAC meeting minutes – 11/3/04

The group reviewed the minutes from the previous MEAC meeting on November 3, 2004. One correction to a typographical error on the third page of the minutes was noted. With that correction being made and hearing no other comments, there was a motion made by Dave Swan/Joe Soltis to approve the minutes as corrected. Motion carried by a voice vote.

Extractive Land Use Mapping Updates

Jim Rose indicated that since the request was made by Dale Shaver at the previous MEAC meeting for updates to the extractive land use layer on the county's GIS system, there have been no submittals for changes to that layer from the aggregate industry. Ed Troxell suggested that perhaps this indicated that the layer, when initially developed for the County's Land Use Plan, is still accurate. Tim Kraut indicated that the Aggregate

Producers Group is scheduled to meet on Friday, February 11, 2005 and he would bring the issue up again. Map updates or tax key parcel numbers should be submitted to Jim Rose for inclusion.

Discussion of Buffering Recommendations

Mark Jenks began the discussion of this topic by indicating he had contacted the American Planning Association and the Department of Natural Resources in an attempt to find some information about buffering standards already being used that might be beneficial in developing a recommendation to forward on to the Natural Resources Subcommittee. Unfortunately, no information was available from either group.

Tim Kraut indicated that this topic has recently become an issue for the aggregate industry on a national level and that several states including California, Virginia, Kansas and North Carolina are in the process of crafting methods or language to deal with the issue. There is no universal set distance for a buffer standard and most states have relied upon setbacks from the property lines, which are often established by the local jurisdiction through the zoning process.

Those states that are in the process of developing standards are at different stages in the process. The Kansas version was the subject of a recent bill that would create an overlay zoning district where encroachment restrictions would be enforced. In North Carolina a bill is being created that would require buffers around mining operations. This is scheduled to go before the North Carolina Environmental Committee for discussion. From initial appearances it seems to be an attempt to utilize mandatory (and minimum?) setbacks.

The Virginia version is looking at establishing a Quarry Notification Overlay District. In this model anyone within 3000 feet of a quarry must be notified of its existence. It was not clear during the discussion with whom the obligation of notification rested with. This led to a broader discussion on the value of notification by nonmetallic mine operators especially when it comes to issues such as blasting by quarries. If the surprise of a blast can be negated by contacts with neighbors prior to a blast happening, the number of complaints drops considerably. Jim Dawson indicated that they have used a notification process for some time now and it has been well received. Discussion continued on what type of notification is best– is an email sufficient? Consensus seemed to be that a personal contact, or at least a phone call is the best method.

Another item on which there was general consensus is the feeling that one size buffer standard would not fit all operations. At a minimum there should be a different standard for quarries vs. gravel pits. A question was raised about how much detail should the buffering standards contain. It was generally conceded that, due to the time constraints faced by this group to bring a recommendation to the Natural Resources Subcommittee by the end of March, any buffering standards language would have to be fairly generalized.

Sharon Leair suggested that in order to move the process forward, the aggregate industry bring a recommendation on a buffering standard to the next MEAC meeting. This recommendation should differentiate between what constitutes a buffer and a setback. In preparation of the standard perhaps the industry could further examine what were the results of the discussions in the other states and their respective Environmental Committees. Tim Kraut will forward the information he has received so far so that it can be distributed to committee members.

Updates from the Waukesha County Aggregate Producers Group and Other MEAC Members

Tim Kraut and Jim Dawson indicated that the planning for the 2005 Trucking Safety Seminar is on track and they are anticipating another successful event. On March 29 approximately 500 drivers will participate in discussions on topics ranging from distractive driving to engine braking.

Mark Jenks presented a request from Ginny Clement, Parks Program Specialist with the Waukesha County Department of Parks and Land Use - Parks System Division. The Retzer Nature Center is presently being renovated and expanded. Ginny is requesting photos and geologic samples that could be incorporated into new exhibits. Anyone with materials she could use are urged to contact her directly. Business cards with her contact information were made available.

Set Next Meeting Date

In order to try and meet the request from Dale Shaver for a buffering standard to be forwarded to the Natural Resources Subcommittee on the Smart Growth Plan Initiative, it was decided to schedule a March meeting. Therefore, the next MEAC meeting was scheduled for March 9, 2005 at 7:30 AM.

Adjourn

Motion by Ed Troxell/Mike Schober to adjourn at 9:15 AM. Motion carried by voice vote.